

DEPARTMENT OF THE INTERIOR DEPARTMENTAL MANUAL

Aviation Management

Part 353 Aviation Services Provided by OAS

Chapter 1 Aircraft Contracting

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1.1 Purpose. The purpose of this chapter is to establish policy and procedures for the acquisition of aircraft and aircraft-related services in support of Departmental programs.

1.2 Covered Services. The Office of Aircraft Services (OAS) is responsible for the acquisition of aircraft and commercial aviation services in support of Departmental programs as follows:

A. Flight Services. All flight services shall be acquired through OAS with the exceptions listed below. OAS may provide acquisition services for these exceptions upon request.

- (1) Seat fare on flights with scheduled air carrier.
- (2) Shipment of cargo by Government Bill of Lading (GBL) in accordance with Federal Property Management Regulations (FPMR), 11 CFR 101-41.3, provided:
 - (a) DOI does not have operational control of the aircraft, and
 - (b) No DOI personnel are aboard the aircraft (other than on a seat fare basis with a scheduled air carrier), and
 - (c) The aircraft is operated entirely within the applicable 14 CFR as a civil aircraft.
- (3) Transactions to acquire an end product or service other than flight services which meet all of the following criteria:
 - (a) Technical expertise to manage the project resides exclusively within the bureau (aerial photography, seed/fertilizer, herbicide application, etc.),
 - (b) Aircraft or crew specifications will not be identified in the end product procurement,
 - (c) No aircraft or pilot approval will be specified. If aircraft or pilot requirements or approval is required in the contract, the bureau will collaborate with OAS on specifications and approval. OAS participation will be on a cost reimbursable basis,
 - (d) DOI does not have operational control of the aircraft, and

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- (e) No DOI personnel are aboard the aircraft, and
- (f) The aircraft is operated entirely within the applicable 14 CFR as a civil aircraft.

B. ~~Other Services.~~ Other aviation-related services such as the purchase of aircraft components, parts and accessories, maintenance services, etc. shall be procured through the OAS procurement system. Bureaus may also purchase equipment from GSA schedules for permanent installation on fleet aircraft when coordinated with OAS Fleet Management (in Alaska, coordinate with the OAS Chief, Division of Aircraft Maintenance). If the value of the equipment exceeds \$5,000, the equipment must be transferred to OAS on Form DI-104. This paragraph is not intended to cover convenience items such as wing covers, portable heaters, or pilot personal equipment such as headsets, helmets, map holders, etc.

1.3 ~~Request Procedure.~~ Requirements exceeding \$25,000 shall be submitted on Form OAS-13, Request for Contract Services, and signed by an officer authorized to obligate funds for the requesting bureau. Any procurement limitation or approval requirement established by the supervising Assistant Secretary must be satisfied by the requesting bureau prior to submission. Requests for services to be performed in Alaska and Hawaii shall be submitted to the OAS Regional Office, 4837 Aircraft Drive, Anchorage, AK 99502-1052. Requests for services to be performed in the conterminous 48 states shall be submitted to OAS, National Headquarters Office, P.O. Box 15428, Boise, ID 83715-5428. The requesting office shall submit the following:

A. ~~Proposed Contract Requirements/Specifications.~~ OAS will work with the requesting office to refine specific requirements appropriate for the mission.

B. ~~List of Government-furnished Equipment.~~ If Government-furnished equipment is to be provided to the contractor, a list of the equipment, dates to be furnished, and its value is required.

C. ~~Justification for Other Than Full and Open Competition.~~

(1) If other than full and open competition is recommended, the requesting bureau shall provide a proposed justification for other than full and open competition to the OAS for review. As a minimum, each proposed justification shall include the following:

- (a) All information required by Federal Acquisition Regulation 48 CFR 6.303-1 and 48 CFR 6.303-2, and

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(b) All requirements of the Department of the Interior Acquisition Regulation (DIAR) 48 CFR 1406.303 and DIAR 48 CFR 1406.303-70 excluding the information listed at DIAR 48 CFR 1406.303-70(a) which directs that "Responses to the notice shall be evaluated and documented by the initiating office."

(2) Based on the information received from the bureau, the OAS contracting officer will determine if a synopsis is required. If a synopsis is required, the OAS contracting officer will determine how it is to be issued and will evaluate and document all responses.

(3) After signing the justification, the OAS contracting officer shall forward it for approval in accordance with 48 CFR 1406.304. The following OAS officials have approval authority for the amounts shown:

(a) For a proposed contract not exceeding \$100,000 -- Chief, Division of Acquisition Management, OAS.

(b) For a proposed contract over \$100,000 but not exceeding \$1,000,000 -- the Competition Advocate, OAS.

(c) For a proposed contract over \$1,000,000 but not exceeding \$10,000,000 -- the Head of the Contracting Activity, OAS.

(d) For a proposed contract over \$10,000,000, the justification shall be submitted by the Head of the Contracting Activity, OAS, to the Director, Office of Acquisition and Property Management for approval.

D. ~~Justification for Specific Make and Model.~~ The written determination required under DIAR 1410.004 shall be submitted by the requesting bureau with the requisition if competition is to be limited to the product of a single manufacturer.

1.4 ~~Procurement Lead Time.~~ Requests for contract services should be submitted at least 120 calendar days in advance of the anticipated date of contract award for competitive acquisitions and 160 calendar days for non-competitive acquisitions. If requests are submitted with less lead time than stipulated above, delays may result in desired start dates. Under these circumstances, the requesting office shall contact OAS contracting officials to establish a realistic acquisition schedule.

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1.5 ~~Small and Disadvantaged Business Utilization (SDBU) Contracting Program.~~ The requesting bureau shall identify potential SDBU opportunities in their Request for Contract Services. OAS shall similarly screen requests for such opportunities and notify requesting bureaus of any opportunities available. Determinations to set procurement aside for small and disadvantaged concerns under the Small Business Administration (SBA) 8(a) program will be made jointly by the requesting bureau and OAS in cooperation with SBA.

1.6 ~~Solicitation of Offers and Award of Contract.~~

A. ~~Distribution.~~ Requesting bureaus will be furnished copies of the Solicitation and Bidder's Mailing List at the time of issuance. The requesting office should review the solicitation and mailing list for errors or omissions and promptly notify the Contracting Officer of any necessary corrections.

B. ~~Bureau Approval of Contractor Costs and Obligation of Available Funds.~~ Prior to contract award, OAS will send the requesting bureau the abstract of bids received and Form OAS-16, Request for Award Recommendation and Pre-validation of Funds, showing a breakdown of the estimated contract costs and administrative expense. The OAS-16 shall be signed by the responsible bureau official indicating either concurrence in contract award or explaining why the contract should not be awarded.

C. ~~Award of Contract.~~ The requesting office will be furnished copies of the awarded contract and all necessary contract administration forms and instructions. A computer-generated contract pricing recap is provided for reconciling subsequent billings for services from OAS.

1.7 ~~Contract Administration.~~ Administration of the contract is a joint responsibility of the requesting bureau and OAS with ultimate responsibility and authority vested in the Contracting Officer. Administrative functions are delegated to the Contracting Officer's Representative (COR) who is generally a bureau representative. Technical aviation functions are delegated to the Contracting Officer's Technical Representative (COTR) who is a representative of OAS. (Refer to Appendix 1 which delineates specific roles and responsibilities.)

1.8 ~~Payment Processing.~~ Aircraft services shall be recorded on Form OAS-23, Aircraft Use Report. OAS will pay the contractor in accordance with all Federal disbursement rules and regulations and bill the using bureau through the On-line Payment and Collection (OPAC) billing process. A computer printout detailing individual use will accompany the billings. The dollar amounts due by line item, date, agency order number, and type of service received will be displayed.

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1.9 Availability of Forms. Forms referenced are available from either the Boise or Anchorage OAS office.

FUNCTIONAL STATEMENTS

A. Contracting Officer (CO) - OAS responsibility.

The CO is responsible for all contract actions including contracting procedures and methods, contract legality with existing laws and regulations, contract administration and terminations. The CO may delegate certain contract administration functions. The CO is the only individual who may modify or change a contract provision. In the contract administration function, decisions on claims and disputes are final, appealable only to the Board of Contract Appeals or the U.S. Court of Federal Claims.

B. Contracting Officer's Technical Representative (COTR) - OAS responsibility.

The COTR is directly responsible to the CO for assuring compliance with the technical provisions of the contract. The COTR conducts initial inspections and approves the contractor's equipment, facilities and personnel prior to, and periodically during, contract performance. The COTR may discuss changes or modifications in equipment or other requirements of the contract, but may not commit the Government to such changes, modifications or adjustments.

C. Contracting Officer's Representative (COR) - Bureau responsibility unless established otherwise by agreement.

The COR is directly responsible to the CO for monitoring contract performance. Primary responsibility of the COR is to assure compliance with the administrative provisions of the contract. The COR maintains communications with the contractor in day-to-day operations and represents the CO in making minor allowances which do not modify the price, or other provisions of the contract. The COR recommends to the CO proposed changes and adjustments to the contract in order to meet the demands of the work project. The COR is responsible for verifying the work performed upon which payment is based.

D. Project Inspector (PI) - Bureau responsibility unless established otherwise by agreement.

The project inspector is assigned responsibilities by the COR to assist in implementing the COR's instructions, as required. Responsibilities of the PI generally include:

- (1) Verifying services performed by the Contractor
- (2) Ensuring Contractor's compliance with contract specifications and provisions
- (3) Discussing daily work requirements and ordering service within the contract provisions
- (4) Discussing the problems which occur with the contractor and recommending proposed solutions to the COR
- (5) Maintaining a log or written record of the administration of the contract, noting work assignments, equipment failure, etc. Any problems of a serious nature are immediately brought to the attention of the COR.